

ARIZONA RACING COMMISSION

599TH REGULAR MEETING

WEDNESDAY, AUGUST 11, 2010

MINUTES OF PUBLIC MEETING

A public meeting of the Arizona Racing Commission was convened on Wednesday, August 11, 2010, beginning at 10:04 a.m. in the Building Conference Room, Suite 250, at 1110 West Washington Street, Phoenix, Arizona 85007.

Present:	Chair	Paul Ulan
	Vice Chair	Mel McDonald (Telephone)
	Commissioner	Thomas E. Kelly
	Commissioner	Erin Owens (Telephone)
Absent	Commissioner	Burton S. Kruglick

Also Present: Lonny T. Powell - ADOR Director, Mary D. Williams- Assistant Attorney General, and Kim McCollum- Commission Secretary

A. Call to Order

Chair Ulan called the 599th Regular Meeting of the Arizona Racing Commission to order at 10:04 a.m.

The following matters were discussed, considered and decided at the meeting:

Approval of the Minutes:

Minutes of the 599th Regular Meeting held Wednesday, August 11, 2010, **Chair Ulan** called for a motion to approve the minutes. **Commissioner Kelly** moved for approval. **Commissioner Owens** seconded the motion. **All in favor**

B. Information Reports

1. **Department Monthly Report – Director Powell** reported that the Department had been working to help Yavapai Downs with a struggling horse population. Yavapai tried to card at least 9 live races a day but by statute they are not obligated to do so due to the population of their county. Yavapai had been communicating with the Department on a regular basis and informing the Department and/or Stewards when field sizes were reduced. **Director Powell** reported on industry personnel changes including **Eugene Joyce**, resigning from his position as General Manager at Turf Paradise effective July 31st and **Greg “Boomer” Wry**, resigning from his position as Director of Racing and Simulcasting at Yavapai Downs. **Director Powell** reported that since the last Commission Meeting, he visited Yavapai Downs on three separate occasions, including once to facilitate a meeting with representatives from all the race tracks to discuss off-track betting and simulcasting. **Director Powell** attended the opening races in Flagstaff and witnessed some crowd-pleasing County Fair racing. **Director Powell** further reported that as an agency within a government structure, the Department continues to work on monitoring efficiencies and operations within the agency. The Department is working closely with C.O.P.E. (Commission on Privatization and Efficiency), a task force charged with encouraging agencies to operate more efficiently and cooperatively thru the sharing of services, expertise, resources, etc. The Department continues to progress in reorganizing the agency’s home office. Now that resources and staff are more consolidated, the Department must redefine what the employees’ functions are while remaining focused on statutory required field and regulatory operations. **Director Powell** further reported that the Stewards from Tucson Greyhound Park began licensing on August 1st for their new licensing cycle and that greyhound applications would also be processed in the main office. **Director Powell** also reported that the staff at Yavapai and Flagstaff encountered some challenges with licensing and that in the future the Department should incentivize licensees to reapply early versus last minute. **Director Powell** further reported that there were some track conditions and safety issues due to heavy rains, Tucson Greyhound Park lost a partial card of racing and Yavapai lost a whole card of racing.

2. **Permittee Operations Reports**

- **County Fairs – No Report**
- **Phoenix Greyhound Park – No Report**
- **Rillito Park No Report.**
- **Tucson Greyhound Park – C. Tom Taylor** reported that the track was doing well for the summer even with the partial lost card due to the rain. He further reported that they had one furlough day in July on a Monday, one of their lowest days and would have another in late August. He further reported that the construction project was originally put on hold because the architects created a plan that would save Tucson Greyhound Park \$250, 000 and its dome. The construction project was now being held up by structural engineers who were waiting for the city to issue a permit to Tucson Greyhound Park. Once the permit is

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issued, hopefully, in the next 12-15 days, the rest of the process should go rather quickly. **Director Powell** asked if the dome was going to survive and if the neon lights would be back on top of the dome where everybody in Tucson could see the place. **Mr. Taylor** replied that they were getting a new flat roof and the reason they did not have to tear down the tower was because they were not putting the dome on. There was no additional weight being added therefore they would be able to save the infrastructure.

- **Turf Paradise – Vincent Francia, Acting General Manager** stated that since he was speaking before a state agency, he had to identify that he was an elected representative of the state, serving in the capacity of the Mayor of Cave Creek and that he was not attending in that capacity. He reported that he had just been appointed Acting General Manager pending approval of the Department as General Manager and he went on to share his past and extensive racing experience. **Mr. Francia** further stated that they were 26 days away from horses arriving and less than a month after that, the 55th race meet would begin. He further reported that the staff at Turf Paradise had an abundance of horses applying to get into Turf Paradise this year. **Mr. Francia** went on to report that the main track was being renovated with new material and the turf course was good last year but it will be better this year. **Chair Ulan** opined that last year there was an issue with stall allocations and that he would encourage Turf Paradise to make sure before the season starts they are working with all parties to make sure the process is as smooth and transparent as possible. **Mr. Francia** reported that the stall allocations were being handled by a committee this year and would make note of the Chair's comments.
- **Yavapai Downs – Terri Ferguson, on behalf of General Manager Gary Spiker**, reported that the race that they had to cancel was their "Wallet Day" promotion and it had since been moved to August 21, 2010. She further reported that the "Weiner Day" promotion was scheduled for August 14, 2010 and historically this had been a pretty well attended event. She further stated that they had been working well with the HBPA. She went on to state they had been filling only 8 races instead of 9. Overall, she reported that everything was going fine and that they were trying to finish the meet strong.

C. New Business Reports

The following New Business items are for status report, presentation, discussion, and possible action for the Commission:

1. **Request from the Department to cancel December 2010 Arizona Racing Commission Meeting – Chair Ulan** motioned to approve the Department's request to cancel the December 2010 Arizona Racing Commission meeting. **Commissioner Kelly** seconded the motion. **All in favor.**
2. **Request from TP Racing to amend its permit for FY 2011 to change race dates for the Turf Paradise meet –** The Department recommended the Commission's approval of TP Racing's request to change May 6, 7, 8, 2011 from dark day simulcasting to live racing and change October 13, 2010 and May 3, 4, 2011 from live racing to dark day simulcasting. **Chair Ulan** motioned to approve the TP Racing's request to amend its permit for FY2011. **Commissioner Kelly** seconded the motion. **All in favor.**
3. **Request from Gila County Fair to amend its FY 2011 to cancel race dates for the Gila County Fair meet –** The Department recommended the Commission's approval of Gila County Fair's request to delete October 2, 3, 9, 10, 2010 and cancel their race meet. **Chair Ulan** motioned to approve Gila County Fair's request to amend its FY 2011. **Commissioner Kelly** seconded the motion. **All in favor.**
4. **Annual approval of Reuben Rivera as Track Steward at Yavapai Downs –** The Department recommended the Commission to approve Reuben Rivera as a track steward at Yavapai Downs for one year. **Chair Ulan** motioned to approve. **Vice-Chair McDonald** seconded the motion. **All in favor.**

D. Summary of Current Events Affecting the Arizona Racing Commission

A.R.S. § 38-431.02(K) – Only Commission Members or the Director may report. No discussion or action may be taken on matters reported unless properly noticed for legal action or discussion.

1. **Chair Ulan** stated that the next Commission meeting would fall on Rosh Hashanah and two of the Commissioners would not be present. **Chair Ulan** stated that the meeting would probably be changed to Wednesday, September 8, which is the normal meeting day. He went on to state that an email would be sent out to the Commissioners and stakeholders to inform them of the change.

E. Call to the Public

Those members of the public wishing to address the Commission must sign the signup sheet and be recognized by the Chair. Time permitting; each presentation will be given approximately five minutes. Action taken as a result of public comment will be limited to directing staff to study the matter or re-schedule the matter for further consideration at a later date.

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Eugene Joyce stated that after working 5 years in the state of Arizona as General Manager of Turf Paradise he would be leaving the state, yet he would be remiss if he did not express gratitude for members of the industry, the Department of Racing, and Jerry Simms, owner of Turf Paradise. **Mr. Joyce** further stated that he was proud of his accomplishments and grateful for the friendships that were forged over the last 5 years. He closed by thanking everyone and offering well wishes.

Announcements

The next regular Commission meeting will be *tentatively* held **Wednesday, September, 08, 2010, at 10:00 a.m.** in the Building Conference Room, Suite 250, at 1110 West Washington Street, Phoenix, Arizona 85007.

Adjournment

Vice-Chair McDonald moved to adjourn the meeting. **Chair Ulan** seconded the motion. **All in Favor**
This public meeting adjourned at 10:24 a.m.

Dated this 2nd day of September, 2010

Arizona Racing Commission

By Kim McCollum
Kim McCollum, Commission Secretary